

SECOND REGULAR SESSION

SENATE BILL NO. 859

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR NIEVES.

Read 1st time February 29, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

6006S.02I

AN ACT

To repeal sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof seven new sections relating to mixed martial arts.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 317.006, 317.011, 317.013, 317.014, 317.017, 317.019, and 317.025, to read as follows:

317.006. 1. The division shall have general charge and supervision of all professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and it shall have the power, and it shall be its duty:

(1) To make and publish rules governing in every particular professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests;

(2) To make and publish rules governing the approval of amateur sanctioning bodies;

(3) To accept applications for and issue licenses to contestants in professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and referees, judges, matchmakers, managers, promoters, seconds, announcers, timekeepers and physicians involved in professional boxing, sparring, professional

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 wrestling, professional kickboxing [and], professional full-contact karate,
19 **professional mixed martial arts, and amateur mixed martial arts** contests
20 held in the state of Missouri, as authorized herein. Such licenses shall be issued
21 in accordance with rules duly adopted by the division;

22 (4) To charge fees to be determined by the director and established by rule
23 for every license issued and to assess a tax of five percent of the gross receipts of
24 any person, organization, corporation, partnership, limited liability company, or
25 association holding a promoter's license and permit under sections 317.001 to
26 317.021, derived from admission charges connected with or as an incident to the
27 holding of any professional boxing, sparring, professional wrestling, professional
28 kickboxing [or], professional full-contact karate, **professional mixed martial**
29 **arts, or amateur mixed martial arts** contest in the state of Missouri. Such
30 funds shall be paid to the division of professional registration which shall pay
31 said funds into the Missouri state treasury to be set apart into a fund to be
32 known as the "Athletic Fund" which is hereby established;

33 (5) To assess a tax of five percent of the gross receipts of any person,
34 organization, corporation, partnership, limited liability company or association
35 holding a promoter's license under sections 317.001 to 317.021 derived from the
36 sale, lease or other exploitation in this state of broadcasting, television,
37 pay-per-view, closed-circuit telecast, and motion picture rights for any
38 professional boxing, sparring, professional wrestling, professional kickboxing [or],
39 professional full-contact karate, **professional mixed martial arts, or amateur**
40 **mixed martial arts** contest. Such funds shall be paid to the division which
41 shall pay said funds into the Missouri state treasury to be set apart into a fund
42 to be known as the "Athletic Fund";

43 (6) Each cable television system operator whose pay-per-view or
44 closed-circuit facilities are utilized to telecast a bout or contest shall, within
45 thirty calendar days following the date of the telecast, file a report with the office
46 stating the number of orders sold and the price per order.

47 2. All fees established pursuant to sections 317.001 to 317.021 shall be
48 determined by the director by rule in such amount as to produce sufficient
49 revenue to fund the necessary expenses and operating costs incurred in the
50 administration of the provisions of sections 317.001 to 317.021. All expenses
51 shall be paid as otherwise provided by law.

317.011. 1. The division shall have the power, and it shall be its duty, to
2 accept application for and issue permits to hold professional boxing, sparring,

3 professional wrestling, professional kickboxing [or], professional full-contact
4 karate, **professional mixed martial arts, or amateur mixed martial arts**
5 contests in the state of Missouri, and to charge a fee for the issuance of same in
6 an amount established by rule; such funds to be paid to the division which shall
7 pay such funds into the Missouri state treasury to be set apart into the athletic
8 fund.

9 2. The provisions of section 33.080 to the contrary notwithstanding, money
10 in this fund shall not be transferred and placed to the credit of general revenue
11 until the amount in the fund at the end of the biennium exceeds two times the
12 amount of the appropriation from the fund for the preceding fiscal year or, if the
13 division requires by rule renewal less frequently than yearly then three times the
14 appropriation from the fund for the preceding fiscal year. The amount, if any, in
15 the fund which shall lapse is that amount in the fund which exceeds the
16 appropriate multiple of the appropriations from the fund for the preceding fiscal
17 year.

18 3. The division shall not grant any permit to hold professional boxing,
19 sparring, professional wrestling, professional kickboxing [or], professional
20 full-contact karate, **professional mixed martial arts, or amateur mixed**
21 **martial arts** contests in the state of Missouri except:

22 (1) Where such professional boxing, sparring, professional wrestling,
23 professional kickboxing [or], professional full-contact karate, **professional**
24 **mixed martial arts, and amateur mixed martial arts** contest is to be held
25 under the auspices of a promoter duly licensed by the division; and

26 (2) Where a fee has been paid for such permit, in an amount established
27 by rule.

28 4. In such contests a decision shall be rendered by three judges licensed
29 by the division.

30 5. Specifically exempted from the provisions of this chapter are contests
31 or exhibitions for amateur boxing, amateur kickboxing, amateur wrestling and
32 amateur full-contact karate. However, all amateur boxing, amateur kickboxing,
33 amateur wrestling and amateur full-contact karate must be sanctioned by a
34 nationally recognized amateur sanctioning body approved by the office.

317.013. 1. In order to protect the health and welfare of the contestants,
2 there shall be a mandatory medical suspension of any contestant, not to exceed
3 one hundred eighty days, who loses consciousness or who has been injured as a
4 result of blows received to the head or body during a professional boxing,

5 professional wrestling, professional kickboxing, [or], professional full-contact
6 karate, **professional mixed martial arts, or amateur mixed martial arts**
7 contest. The determination of consciousness is to be made only by a physician
8 licensed by the board of healing arts and the division. Medical suspensions
9 issued in accordance with this section shall not be reviewable by any tribunal.

10 2. No license shall be issued to any person who has been injured in such
11 a manner that they may not continue to participate in boxing, wrestling,
12 kickboxing, [or], full-contact karate, **professional mixed martial arts, or**
13 **amateur mixed martial arts** contests in the future. Such a person shall be
14 deemed medically retired. No person with a status of medically retired shall
15 compete in any events governed by this chapter. Medical retirements issued in
16 accordance with this section shall not be reviewable by any tribunal.

317.014. 1. Upon proper application by the director, or the director of the
2 office, a court of competent jurisdiction may grant an injunction, restraining order
3 or any other order as may be appropriate to enjoin a person, partnership,
4 organization, corporation, limited liability company or association from:

5 (1) Promoting or offering to promote any professional boxing, sparring,
6 professional wrestling, professional kickboxing [and], professional full-contact
7 karate, **professional mixed martial arts, or amateur mixed martial arts**
8 contests in Missouri **that are not approved by the Missouri office of**
9 **athletics;**

10 (2) Advertising or offering to advertise any professional boxing, sparring,
11 professional wrestling, professional kickboxing [and], professional full-contact
12 karate, **professional mixed martial arts, or amateur mixed martial arts**
13 contests in Missouri **that are not approved by the Missouri office of**
14 **athletics;**

15 (3) Conducting or offering to conduct any professional boxing, sparring,
16 professional wrestling, professional kickboxing [and], professional full-contact
17 karate, **professional mixed martial arts, or amateur mixed martial arts**
18 contests in Missouri **that are not approved by the Missouri office of**
19 **athletics;** or

20 (4) Competing or offering to compete in any professional boxing, sparring,
21 professional wrestling, professional kickboxing [and], professional full-contact
22 karate, **professional mixed martial arts, or amateur mixed martial arts**
23 contests in Missouri **that are not approved by the Missouri office of**
24 **athletics.**

25 2. Any such actions shall be commenced either in the county in which
26 such conduct occurred or in the county in which the defendant resides.

27 3. Any action brought under this section shall be in addition to, and not
28 in lieu of, any penalty provided by law and may be brought concurrently with
29 other actions to enforce this chapter.

**317.017. 1. In any professional or amateur event regulated by
2 this chapter, no one shall be allowed to participate who has not
3 achieved the age of eighteen on or before the day the individual is
4 scheduled to participate in the event.**

**5 2. No individual shall promote or allow a person under the age
6 of eighteen to participate in any professional or amateur event
7 regulated by the division.**

317.019. 1. The promoter of a professional boxing, professional
2 kickboxing, [and] professional full-contact karate, **and professional mixed
3 martial arts** contest shall sign written bout contracts with each professional
4 contestant. Original bout contracts shall be filed with the division prior to the
5 event as required by the rules of the office. The bout contract shall be on a form
6 supplied by the division and contain at least the following:

- 7 (1) The weight required of the contestant at weigh-in;
- 8 (2) The amount of the purse to be paid for the contest;
- 9 (3) The date and location of the contest;
- 10 (4) The glove size allotted for each contestant;
- 11 (5) Any other payment or consideration provided to the contestant;
- 12 (6) List of all fees, charges, and expenses including training expenses that
13 will be assessed to the contestant or deducted from the contestant's purse;
- 14 (7) Any advances paid to the contestant before the bout;
- 15 (8) The amount of any compensation or consideration that a promoter has
16 contracted to receive in connection with the bout or contest;
- 17 (9) The signature of the promoter and contestant;
- 18 (10) The date signed by both the promoter and the contestant; and
- 19 (11) Any information required by the office.

20 2. If the bout contract between a contestant and promoter is changed, the
21 promoter shall provide the division with the amended contract containing all
22 contract changes at least two hours prior to the event's scheduled start time. The
23 amended contract shall comply with all requirements for original bout contracts
24 and shall contain the signature of the promoter and contestant.

25 3. A promoter of an event shall not be a manager for a contestant who is
26 contracted for ten rounds or more at the event.

27 4. The promoter of an event shall provide payments for the event official's
28 fees to the office prior to the start of the event. The form of payment shall be at
29 the discretion of the office provided that payments remitted by check or money
30 order shall be made payable directly to the applicable official.

**317.025. 1. This section shall only apply to amateur mixed
2 martial arts contests.**

3 **2. The cage shall have two doors of entry.**

4 **3. Contestants shall not be required to have a state license.**

5 **4. Blood work, annual physicals, and federal mixed martial arts
6 identification shall not be required to compete.**

7 **5. Forearm and elbow strikes shall be illegal.**

8 **6. Head gear and shin guards shall not be worn.**

9 **7. Gloves shall be six ounces.**

10 **8. Bouts shall be three rounds of three minutes with a one-
11 minute rest between each round, except that promotional title matches
12 shall consist of three rounds of five minutes in length with a one-
13 minute rest between each round.**

✓

Copy